

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JONATHAN S. PHILLIPS,

Petitioner,

vs.

STATE OF WASHINGTON,

Respondent.

NO. CV-12-097-JPH

**ORDER ADOPTING REPORT AND
RECOMMENDATION AND DISMISSING
PETITION WITHOUT PREJUDICE**

Magistrate Judge Hutton filed a Report and Recommendation on April 9, 2012, recommending Mr. Phillips' habeas corpus petition be dismissed without prejudice based on the abstention doctrine of *Younger v. Harris*, 401 U.S. 37, 53-54 (1971). ECF No. [11](#). Mr. Phillips has failed to keep the Court apprised of his current address. Mail sent to him at the Chelan County Regional Jail was returned as undeliverable on April 17, 2012. The Court has been unable to locate a current address for Mr. Phillips.

IT IS HEREBY ORDERED: There being no objections, the Court **ADOPTS** the Report and Recommendation, **ECF No. [11](#)**, in its entirety. The Petition is **DISMISSED without prejudice** in favor of Mr. Phillips pursuing available remedies in the state courts.

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